



Division of Prevention and Behavioral Health Services
Department of Services for Children Youth and Their Families
State of Delaware

Policy#CS008		Youth and Family Rights	
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Signature:		Date Adopted: 11/1/12	Page: 1 of 2
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PURPOSE

The Division of Prevention and Behavioral Health Services (DPBHS) respects the rights of all youth and their families and recognizes that each youth and family is unique and has unique needs. Because of the importance of respecting each youth and family's personal dignity, the staff of DPBHS provides considerate, respectful services focused upon the youth and family's needs.

POLICY STATEMENT

As appropriate to the developmental functioning of the youth and family, DPBHS affirms the youth and family's right to make decisions or participate actively in decision-making regarding services. Youth and their families make decisions and participate actively in services.

DPBHS assists the youth and family in the exercise of their rights and informs the youth and family of any responsibilities incumbent upon them in the exercise of those rights.

The following statements describe the mechanisms by which youth and family rights are protected and exercised by DPBHS:

1. DPBHS supports the rights of its youth and their families.
2. The youth and family have the right to culturally competent care which respects their personal value and belief systems.
3. Services are explained to the child/youth and family in language appropriate to the developmental age and in the language the family prefers.
4. The youth and family have the right to informed participation in decisions regarding their services. Informed consent is obtained.
5. The youth, when appropriate, or the youth with his/her guardian has the right to participate in the consideration of ethical issues concerning services.
6. The youth and family has the right for designation of a representative decision-maker in the event he/she is incapable of understanding services or is unable to communicate his/her wishes.
7. The youth and family has the right to personal privacy and confidentiality of information
8. The youth and family, or their legally designated representative, has access to the information contained in the youth and family's medical record within the limits of the law.
9. All information concerning youth will be kept confidential. NO youth and family record or information shall be revealed by DPBHS to outside parties except as follows: pursuant to a court order; to attorneys representing the youth; to a medical facility providing treatment or consultation; in the case of risk of harm to self or other; reports of child abuse, or with the consent of the parent/guardian. HIPAA, 42 CFR Part 2, and FERPA will apply as appropriate.
10. The youth and family has the right, without retaliation, to voice complaints and appeal decisions regarding the services received, to have those concerns reviewed, and when possible resolved. This right and the mechanisms established by DPBHS to assist the youth and family in exercising this right are explained to the youth and family during the admission process and reviewed throughout services if pertinent. See DPBHS Policy CS005, Appeal Policy & CS006, Complaint Policy.
11. Youth and their families have the right to equal treatment with no discrimination because of race, national origin, ethnicity, gender, gender identity, sexual orientation, age, handicap, or religion.

12. Youth and families have the right to be treated, free of abuse which includes verbal, physical, emotional, and sexual abuse, free from financial and other exploitations, retaliation, humiliation, and neglect.